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| 56352   | 7590        | 09/19/2011           |                         |                  |
| GLOBAL IP SERVICES<br>7285 W. Eagle Court<br>Winton, CA 95388 |             |                      | EXAMINER<br>DANG, KET D |                  |
|   |             |                      | ART UNIT                | PAPER NUMBER     |
|   |             |                      | 3742                    |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/550,131

**Applicant(s)**

SHAO, ZHICHENG

**Examiner**

KET D. DANG

**Art Unit**

3742

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 June 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 5) ☒ Claim(s) 4, 7-13 and 26 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 4, 7-13 and 26 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☒ The drawing(s) filed on 21 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-886)  
Paper No(s)/Mail Date \_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_

### **DETAILED ACTION**

1. This office action is responsive to the amendment filed on June 28, 2011. As directed by the amendment: claims 4 and 7-13 have been amended, claims 1-3, 5-6, and 14-25 have been cancelled and new claim 26 have been added. Thus, claims 4, 7-13, and 26 are presently pending in this application.

#### ***Response to Amendment/Argument***

2. Applicant's amendments/arguments with respect to claims 4 and 7-13 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendments have overcome specification, the 35 U.S.C. 112, second paragraph rejections, and the nonstatutory double patenting rejection from previous Office Action.

#### ***Claim Objections***

3. The claim 26 is objected to because it includes reference character (3, i.e. a jug-seat) that is not enclosed within parentheses.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 4, 7-13, and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitation "the inner bottom" at line 7 in the claim. There is insufficient antecedent basis for this limitation in the claim. Furthermore, the limitation "an electric heater" at line 10 renders the claim indefinite. It is unclear for whether this electric heater is the same as the one recited at lines 1-2 in the claim. If it is so, then "an" should be replaced with "the" or "said". If it is not, then essential structural cooperative relationships between the two are suggested.

Claim 26 recites the limitations "over temperature thermostat" at line 2 and "heat preservation thermostat" at lines 2-3 renders the claim indefinite, respectively. They are unclear for whether this over temperature thermostat and heat preservation thermostat are the same as the ones recited in claims 9 and 11, respectively. If it is so, then "the" or "said" should be used. If it is not, then essential structural cooperative relationships between the two are suggested.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 4, 7, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lambert (US 1774927) in view of Forshee (US 1477340) and Khaja (US 3585921).

8. Regarding claim 4, Lambert discloses an electrothermal jug comprising a body 1 (fig. 1), an electric heater on the body 8 (fig. 1), wherein an inner container 12/15 (fig. 1) is provided on the bottom of the body 3 (fig. 1), a funnel 18 (fig. 1, i.e. a tube) is provided on the up-port of the inner container 12/15 (fig. 1), a filtrating down-layer 28 (fig. 1) is arranged in the funnel 18 (fig. 1), and a filtrating up-layer 20 (fig. 1) is arranged on the up-port (page 2, line 50, lines 90 – page 2, lines 56).

Lambert discloses all of the limitations of the claimed invention as set forth above, except for the inner bottom extends downwardly to form a step-like shape with the outer bottom, the inner bottom become a bottom of the inner container; an auxiliary electric heater is provided on an outer bottom between the body and the inner container for heating a space between the body and the inner container.

However, wherein the inner bottom extends downwardly to form a step-like shape with the outer bottom, the inner bottom become a bottom of the inner container is known in the art. Forshee, for example, teaches wherein the inner bottom (17) extends

downwardly to form a step-like shape (16) with the outer bottom (10) (page 1, lines 44-52).

With respect to claim 13, Lambert discloses wherein the filtrating up-layer 20 (fig. 1) is disposed on an overlay of a cover 21 (fig. 1) covered on the up-port of the inner container 15/12 (fig. 1).

Forshee further teaches such a configuration provides a means to secure to the bottom of the outer container (page 1, lines 18-19). It would have been obvious to one of ordinary skill in the art to modify Lambert with wherein the inner bottom extends downwardly to form a step-like shape with the outer bottom of Forshee in order to secure to the bottom of the outer container.

Similarly, an auxiliary electric heater is provided on an outer bottom between the body and the inner container is known in the art. Khaja, for example, teaches an auxiliary electric heater 57 (fig. 4) is provided on an outer bottom (i.e. just below the bottom wall (23) between the body 22 (fig. 4) and the inner container (col. 6, line 18).

With respect to claim 7, Khaja teaches a dry thermostat 50 (fig. 4) (col. 6, lines 3, i.e. the thermostat that switches off power when it reaches the pre-setting desired coffee temperature) is disposed on the inner bottom.

Khaja further teaches such a configuration provides a means to maintain the coffee at a desirable elevated drinking temperature (col. 6, lines 21-22). It would have been obvious to one of ordinary skill in the art to modify Lambert in view of Forshee with an auxiliary electric heater of Khaja in order to maintain the coffee at a desirable elevated drinking temperature.

9. Claims 8 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lambert (US 1774927) in view of Forshee (US 1477340) and Khaja (US 3585921) as applied to claims 4, 7, and 13 above, and further in view of Weber (US 3804635).

Regarding claims 8 and 11-12, Lambert in view of Forshee and Khaja disclose all of the limitations of the claimed invention as set forth above, except for wherein a heat preservation thermostat which is provided with a dry frying temperature or a heat preservation temperature sensitive bimetallic strip attached to the bottom, a fixed contact plate and a movable contact plate connected in series in the circuit of the electric heater, a dry frying crown bar or a heat preservation crown bar.

However, a heat preservation thermostat being provided with the temperature sensitive bimetallic strip attached to the bottom, a fixed contact plate and a movable contact plate connected in series in the circuit of the electric heater, a bar is known in the art. Weber, for example, teaches a heat preservation thermostat acts as a bimetallic strip 92 (fig. 3) attached to the bottom (see figure 3) (i.e. the heat preservation thermostat is same as the bimetallic strip (92) which disengages from mechanical means in response to the predetermined temperature.), a fixed contact plate 93 (fig. 3) and a movable contact plate 166 (fig. 3) connected in series in the circuit of the electric heater 32 (fig. 3), a bar 158 (fig. 7, i.e. a rod or a pin) (col. 8, lines 25-64). Weber further teaches such a configuration provides a means to respond to the temperature of the liquid being heated and the heater being generated (col. 5, lines 67 - col. 6, line 1). It would have been obvious to one of ordinary skill in the art to modify Lambert in view of

Forshee and Khaja with the features above of Weber in order to respond to the temperature of the liquid being heated.

10. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lambert (US 1774927) in view of Forshee (US 1477340) and Khaja (US 3585921) as applied to claims 4, 7, and 13 above, and further in view of Komazaki et al. (US 3662155).

Regarding claims 9-10, Lambert in view of Forshee and Khaja disclose all of the limitations of the claimed invention as set forth above, except for wherein an over temperature thermostat is disposed on an inner bottom; wherein the over temperature thermostat is provided with a spring plate riveted onto the top sheet metal, a rivet with low-temperature-melting-point riveted onto the sheet metal, a fixed contact plate, a movable contact plate connected in series in the circuit of the electric heater, a fuse crown bar disposed between the movable contact plate and the tilting arm of the spring plate.

However, thermostat is disposed on a bottom; wherein the thermostat is provided with a spring clamp, a fixed contact plate, a movable contact plate connected in series in the circuit of the electric heater, a bar disposed between the movable contact plate and the bimetal is known in the art. Komazaki et al., for example, teaches thermostat is disposed on a bottom (abstract); wherein the thermostat is provided with a spring clamp 6 (fig. 1), a fixed contact plate, a movable contact plate 9 (fig. 1) connected in series in the circuit of the electric heater, a bar 7 (fig. 1) disposed between the movable contact plate 9 (fig. 1) and the bimetal 6 (fig. 1) (col. 2, lines 16-21; col. 3, lines 14-26).

Komazaki et al. further teaches such a configuration provides an automatic temperature control means for effecting its temperature control (col. 1, lines 8-10). It would have been obvious to one of ordinary skill in the art to modify Lambert in view of Forshee and Khaja with the features above of Komazaki et al. in order to provide an automatic temperature control means for effecting its temperature control.

11. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over over Lambert (US 1774927) in view of Forshee (US 1477340), Khaja (US 3585921) and Weber (US 3804635) as applied to claims 8 and 11-12 above, and further in view of Wheeler et al. (US 5672274).

Lambert in view of Forshee, Khaja, and Weber disclose all of the limitations of the claimed invention as set forth above, except for the dry frying thermostat, over temperature thermostat and heat preservation thermostat are fixed in a plug, a jug-seat 3 has a jack and a power connection plug, when the electrothermal jug sites down on the jug-seat, the jack inserts into the plug.

However, the dry frying thermostat, over temperature thermostat and heat preservation thermostat are fixed in a plug, a jug-seat has a jack and a power connection plug, when the electrothermal jug sites down on the jug-seat, the jack inserts into the plug is known in the art. Wheeler et al., for example, teaches a plug (see figure 5, not shown, i.e. the bottom of the kettle (100)), a jug-seat 102 (fig. 5, i.e. a base) has a jack 106 (fig. 5) and a power connection plug 104 (fig. 5), when the electrothermal jug sites down on the jug-seat, the jack inserts into the plug (col. 3, lines 33-44). Wheeler et

al. further teaches such a configuration provides any suitable type of electrical cord or cordless electrical arrangement (col. 3, lines 3, lines 43-45). It would have been obvious to one of ordinary skill in the art to modify Lambert in view of Forshee, Khaja, and Weber with the features above of Wheeler et al. in order to provide any suitable type of electrical cord or cordless electrical arrangement.

### ***Prior Art***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Taylor (US 6080968) discloses a plug, a jug-seat has a jack and a power connection plug, when the electrothermal jug sits down on the jug-seat, the jack inserts into the plug (see figures 1-2).

### ***Conclusion***

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KET D. DANG whose telephone number is (571)270-7827. The examiner can normally be reached on Monday - Friday, 7:30 - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoang Tu can be reached on (571) 272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KET D. DANG/  
Examiner, Art Unit 3742  
September 12, 2011

/Henry Yuen/  
Supervisory Patent Examiner, Art  
Unit 3742